IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 12748 of 2002

Between:

Brundavan Nursing Home, Raja Centre, Machilipatnam, Krishna District, represented by Dr. B. Dhanwantri Acharya, S/o B.V. Narayanacharya.

..... PETITIONER

AND

1 Union of India, Ministry of Environment and Forests, represented by its Secretary, Secretariat, New Delhi.

2 Government of Andhra Pradesh, represented by its Secretary, Department of Environment, Forests, Science and Technology, A.P. Secretariat, Hyderabad.

3 Andhra Pradesh Pollution Control Board, represented by its Member Secretary, Huda Complex, Mytrivanam, Ameerpet, Hyderabad.

4 Andhra Pradesh Pollution Control Board, Regional Office,

Gurunanak Raod, Vijayawada, represented by its

Environmental Engineer.

5 The Municipal Council, represented by its Commissioner,
Machilipatnam Municipality, Krishna Dist

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ, direction or directions declaring the rule 8(3) of Bio-Medical Waste Rules,1998 framed by the 1st respondent whereby the petitioner Nursing Home to pay huge amount of fees for obtaining authorisation under the Rules as ultra vires, illegal, unconstitutional and arbitrary and to issue a consequential direction to respondents not to insist for payment of fee from the petitioner Nursing Home for granting authorisation under the rules.

For the Petitioner: MR. K.G.K.PRASAD, Advocate.

For Respondent No.1: Mr. A. Rajasekhar Reddy, Senior Central Government Standing Counsel.

For Respondent No. 2: GP FOR IRRIGATION & COMM AREA DEV.

For Respondent Nos. 3 and 4: Mr. E. Kalyan Ram, Standing Counsel.

For Respondent No. 5: Standing Counsel for Machilipatnam Municipality.

The Court made the following Order: (per Sri B. Sudershan Reddy, J)

Sri K.G. Ravikanth, counsel appearing on behalf of

Sri K.G.K. Prasad, learned counsel for the petitioner states that the petitioner does not wish to press this writ petition for hearing.

In the circumstances, the Writ Petition shall stand dismissed as not pressed. No order as to costs.

(B. Sudershan Reddy, J)

28..09..2004

(K.C. Bhanu, J)

ks

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 Secretary, Ministry of Environment and Forests,

Union of India, Secretariat, New Delhi.

2 Secretary, Department of Environment, Forests, Science

and Technology, Government of Andhra Pradesh,

A.P. Secretariat, Hyderabad.

3 Member Secretary, Andhra Pradesh Pollution Control Board,
Huda Complex, Mytrivanam, Ameerpet, Hyderabad.

4 Environmental Engineer, Andhra Pradesh Pollution
Control Board, Regional Office, Gurunanak Raod, Vijayawada.

5 Commissioner, the Municipal Council, Machilipatnam
Municipality, Krishna Dist

6 Two CCs to the Government Pleader for Irrigation and Comman
Area Development, High Court of Andhra Pradesh, Hyderabad
(OUT).

7 Two CD copies.